

USDC-BALTIMORE
25 FEB 24 PM2:46**ATTACHMENT A****STIPULATION OF FACTS**

The undersigned parties stipulate and agree that if this case had proceeded to trial, this Office would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter proceeded to trial.

In April of 2022, a member of law enforcement in the state of Maryland (MD) was approached by an individual (CHS), who wished to provide information about a drug trafficking organization in Western Maryland ("DTO"). Shortly afterward, the Maryland State Police ("MSP") registered the CHS as a confidential human source. In April, July, August, September, October, November, and December of 2022, the CHS made multiple controlled purchases of distribution amounts of cocaine and methamphetamine from members of the DTO, including Drug Distributor 1. Those controlled purchases were surveilled and recorded by investigators with MSP and federal law enforcement.

A particular group within MSP had been utilized in the investigation of the DTO. The Defendant, Justin RIGGS, was a member of the MSP group that assisted with these controlled purchases. In September of 2022, the CHS advised investigators that the DTO had purchased an AK-47 (MACHINE GUN) from another criminal organization. Further, Drug Distributor 1 asked CHS to facilitate the resale of the MACHINE GUN for \$8,500. CHS then met with investigators, who took possession of the MACHINE GUN and provided the CHS with \$8,500 in US currency. At the direction of Drug Distributor 1, the CHS provided those funds to the DTO.

Leak of Information by RIGGS to Drug Distributor 1

On December 19, 2022, RIGGS created a fictitious Facebook Account. On December 21, 2022, RIGGS established contact with Drug Distributor 1 using the fictitious Facebook Account. The following are selected messages sent by RIGGS from that day:

| <u>Time (UTC)</u> | <u>Message</u> |
|-----------------------|--|
| 14:45 | Hey I work for a Fed agency that has started a very serious case. Im looking to receive payment for info I can give you and hopefully work with you for info you need in the future. As a good faith measure I'll let you know something that proves I'm worthy. There's a tracker on your black truck. Under the rear passenger side wheel well. It's hidden good. It's a magnetic black box looking unit. If you remove it, it will alert us. So decide how you want to use that. I'd suggest having someone drive it to the far end of the us to throw everyone off. Also check your ring camera. Yesterday morning at around 310am, you'll see two feds attempting to put another tracker on. They turned around once your spot light came on... |

| | |
|-------|--|
| 14:47 | I have tons more info pertaining to your biggest informant whose doing you dirty, the status of your case and what you should do, and a lot more. But that info will require payment because I know how serious it is |
| 14:54 | Theres a big case man. I'm not reaching out because I care what you're in to or not in to. you don't have to play innocent to me. IDC about that. I'm just trying to get paid. But there's a big case that's going on. Im here to work with you. I gave you some free info to prove my worth. Once you find the tracker and see I'm legit then let's talk about the other info I have. |
| 15:25 | Also I wouldn't have [redacted] Thursday. Your [redacted] is bugged. Along with ppl that go to it. Okay well that's all I can offer man. I know the consequences of what this info will do that's why the price is what it is |
| 15:26 | I'll leave it up to you as to how we proceed. You know what I need man. I'm here for you and on your side |
| 16:06 | That's why I need money for the info. I know what'll happen to the rat. You may not have the money but your club does. And this case is going to hurt a lot of members. But anyway. Just holler when you want to move forward man. |
| 20:14 | The tracker is on your truck. Underneath on the passenger side near the wheel well. I was on cover surveillance when it was put on man. I know 100% noone is feeding me bs. |

The conversation between Drug Distributor 1 and RIGGS continued through December 22, 2022. Drug Distributor 1 located the tracker on his vehicle. In subsequent Facebook messages RIGGS suggested relocating the tracker to an “18 wheeler” or driving the truck to a local police station in order to confuse law enforcement.

During the discussion on December 22, 2022, Drug Distributor 1 also told RIGGS that he was looking to leave the organization. RIGGS then offered his continuing services to the DTO in the event that Drug Distributor 1 was no longer going to be involved in the DTO. The following are selected messages sent from RIGGS to Drug Distributor 1:

| Time (UTC) | Message |
|------------|--|
| 13:21 | ...So listen, if you're getting out or want nothing to do with what I can offer, is there anybody trustworthy in your club that would have interest in my services? Info for money exchange type of thing? |
| 13:22 | I could be willing to give you some more info now for forwarding my services to someone that could use it |

In December 2022, a scheduled meeting for the DTO was moved at the direction of Drug Distributor 1 after he received the messages from RIGGS. During the meeting, DTO members were told that the meeting was being held due to a “GPS tracker” having been found on a DTO member’s vehicle.

On December 26, 2022, the discussion between RIGGS and Drug Distributor 1 continued regarding RIGGS' knowledge of the investigation using Facebook Messenger. The following are some of the communications RIGGS sent to Drug Distributor 1:

| <u>Time (UTC)</u> | <u>Message</u> |
|-------------------|---|
| 14:54 | Did you pull the tracker off? I can help you by telling you how deep the investigation is. How to make it go away, who your snitch is that's setting y'all up, and when your phone will be tapped... |
| 15:00 | Gotcha. Yah it will send an alert once removed. I think they're going to try to put another one of this week. I can't communicate with you once the wire tap starts. That's why I'm going offline tomorrow. But like I said I can help you. By telling you the snitch. Once he's gone then you're case should be gone because he won't be able to testify against you |

On December 30, 2022, Drug Distributor 1 stated to RIGGS: "doubt u r being fed lies cause now I'm hear shit on my fucking phone and this shits bothering me. Who if feeding u these lies man. Drop the phone or call me. Shits old but I now want answer. I can't get that kind of money but I want answers man. Give me something \$\$\$."

On January 2, 2023, RIGGS responded and began to negotiate a price with Drug Distributor 1 and continued to do so through Tuesday, January 3, 2023. The following is a portion of the conversation that occurred between RIGGS and Drug Distributor 1 from January 2-3, 2023:

RIGGS: I can't answer without payment. Even a small payment I can get you your answers

Drug Distributor 1: I can get \$1200

RIGGS: Can you do \$2000?

Drug Distributor 1: I had enough trouble trying to come up with this I'm [redacted] out of this [redacted] I'd like to have some kind of information that I can leave behind in case somebody is wrapped up in whatever this bullshit is but it ain't got nothing to do with me man I don't even got it like that I can try

Drug Distributor 1: I got \$1500 and let u know where I put it.

[Tuesday, January 3, 2023]

RIGGS: Okay. Just put it in a grocery bag and drop it off at [redacted] wolfsville Rd, smithsburg. There's an old cabin there.

Across from the cabin in a small foot bridge. Just set it in the woods by the foot bridge

RIGGS: I'll go ahead and give you the info. I trust you'll drop the money and won't screw me

RIGGS: I can't answer without payment. Even a small payment I can get you your answers

Drug Distributor 1: I've been waiting on this info you said you were going to send so I can drop this money off.

RIGGS: So the one who is putting this case on you drives the [redacted]. The one who has been doing controlled buys from you each week. He buys from you and hands it over to feds. He's been wearing a wire each meet up. He's got ya on [redacted] buys as well as the [redacted]. I believe he has shit on [redacted] too

RIGGS: A good way to get him would be to sell him fake shit and later on ask him how it was

Later in the conversation:

RIGGS: If you make the 1500 drop then I'll just give ya the rest of the info and you can make the 300 drop

RIGGS: Every buy he's done hasbeen recorded. The audio conversations have been recorded. But he plans on testifying on ya...

Later that day, Drug Distributor 1, informed RIGGS that he had left \$1,800 in US currency behind the dumpsters in the rear of the Red Roof Inn Hagerstown – Williamsport located at on E Potomac Street, in Williamsport, Maryland.

On Thursday, January 5, 2023, at approximately 7:59 a.m., Drug Distributor 1 messaged RIGGS and stated: "The money is there man [...] and I'm not going back to get it...." At approximately 9:52 a.m., a silver Nissan Rogue stopped near the dumpsters of the Red Roof Inn. The older, white, male driver, Person 1, exited the vehicle and retried the U.S. currency that had been hidden behind the dumpsters. At approximately 10:20 a.m., after Person 1 left the vicinity of the Red Roof Inn, RIGGS messaged back: "Okay I'll get it sometime. What else do you need." Drug Distributor 1 responded, "run one of my dudes for a warrant" and RIGGS responded, "Okay I can do that."

On Friday, January 6, 2023, RIGGS responded and said, "[...] No warrants." Drug Distributor 1 then provided another name for RIGGS to run for a warrant check and then asked

RIGGS if he received the money, "I'm figuring u got that \$\$\$\$??" RIGGS confirmed that he did receive the money and stated, "Yeah got it. Okay."

SO STIPULATED:

Christine Goo

Christine Goo
Sean Delaney
Assistant United States Attorneys

Justin Riggs

Justin Riggs
Defendant

Andrew Szekely

Andrew Szekely
Eric Pilch
Counsel for Defendant